

REMARKS

This Response is being filed in relation to the Office Action mailed on December 24, 2008, in which the Examiner requested, under 37 CFR 1.105, that Applicant and the Assignee provide the following information that the Examiner has determined is reasonably necessary to the examination of this application:

For each new claim, Applicant is requested to provide support for each limitation by making reference to the drawings (figure and reference number) and to the specification (page and line number(s)). (See Office Action at page 2.)

Applicant respectfully disagrees with the Examiner's interpretation of rule 37 CFR 1.105, requiring that Applicant and assignee provide additional information, but in order to advance prosecution, Applicant is including such information below. However, Applicant's attorney respectfully submits that the following identification of specification passages, figures, and drawing reference numbers, is in no way a limitation of the scope of Claims 31-45.

Pending Claims 31-45 are shown below. Support for the various features in the claims are provided in the parenthesis, and underlined for easy detection:

31. A pyrotechnic device adapted to fire blank ammunition rounds for the purpose of simulating weapons firing and/or hit indications, comprising a magazine (20) having a top surface, a bottom surface and a plurality of receptacles (23) extending through said magazine (20) from said top surface thereof to said bottom surface thereof, each of said receptacles (23) including a first boring (25c) positioned adjacent said top surface and having a first diameter, a second boring (25a) positioned adjacent said bottom surface and having a second diameter, which is greater than said first diameter, and a third boring (25b) positioned between said first boring (25c) and said second boring (25a), said third boring (25b) having a third diameter, which is greater than said first diameter but less than said second diameter, said first, second and third diameters being selected such that each of said receptacles (23) can selectively and interchangeably receive at least two different types of blank ammunition rounds (80/81). (See, for example, Fig. 4 and the description of Fig. 4 on page 5, second paragraph of the as-filed application)

32. The pyrotechnic device of Claim 31, wherein said first diameter is selected so as to accommodate a component (402) of a first type of blank ammunition round (80) or a component (402) of a second type of blank ammunition round (81), said second diameter is selected so as to

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accommodate another component (401) of the first type of blank ammunition round (80), and said third diameter is selected so as to accommodate another component (400) of the second type of blank ammunition round (401). (See, for example, Fig. 4 and the description of Fig. 4 on page 5, second paragraph of the as-filed application)

33. The pyrotechnic device of Claim 32, wherein the first type of blank ammunition round (80) is an M30 pyrotechnic ammunition device, and the second type of blank ammunition round (81) is an M31 pyrotechnic ammunition device. (See, for example, Figs. 11 and 12, as well as the description of Figs. 11 and 12 on page 11, first paragraph of the as-filed application)

34. The pyrotechnic device of Claim 31, further comprising a housing (70), having an interior sized and shaped so as to contain circuitry adapted to produce programmable firing sequences for blank ammunition rounds contained within said receptacles (23) of said magazine (20) (See, for example, the description on page 15, last paragraph of the as-filed specification) and a top plate (30) having a first side positioned adjacent said housing (70) and a second side, which is opposite said first side, positioned adjacent said bottom surface of said magazine (20), said top plate including a plurality of electrical contact assemblies (300 - See, for example, Fig. 9, as well as the description of Fig. 9 on pages 8-9 of the as-filed specification) located on said second side of said top plate such that each of said contact assemblies (300) is in substantial alignment with a corresponding one of said receptacles (23 - See, for example, the description on page 14, first paragraph of the as-filed specification), whereby said contact assemblies (300 - See, for example, Fig. 9, as well as the description of Fig. 9 on pages 8-9 of the as-filed specification) are adapted to transmit electric current to blank ammunition rounds (80/81) contained in said receptacles (23).

35. The pyrotechnic device of Claim 34, wherein each of said contact assemblies (300) includes a central contact pad (302a) which forms part of an electrical path between said circuitry and a center contact pin (404 or 407) of a blank ammunition round (81 or 80, respectively) which has been loaded into a corresponding one of said receptacles (23), and an annular contact disc (304a), which encircles said central contact pad (302a) and which forms part of an electrical path between said circuitry and an outer contact post (406 or 409) of a blank ammunition round (81 or 80, respectively) which has been loaded into said corresponding one of said receptacles. (See, for example, Fig. 9, and the description of Fig. 9 on pages 8-9, and Figs. 11 and 12, as well as the description of Figs. 11 and 12 on page 11, first paragraph of the as-filed application)

36. The pyrotechnic device of Claim 35, wherein said annular contact disc (304a) is made from electrically conductive rubber, whereby said annular conductive disc (304a) allows for variations in the length of outer contact posts (406 or 409) on different blank ammunition rounds (81 or 80, respectively). (During an interview with the Examiner on August 15, 2008, the Examiner and Applicant's attorney discussed support for the claim terminology "conductive rubber disc." As was noted during the interview, " based on cursory review of applicant's discussion it would appear to be support for said claim terminology." Applicant's originally filed application contains support for the term "conductive rubber", the term is used in original Claims 9 and 10)
37. The pyrotechnic device of Claim 36, wherein said central contact pad (302a) is made from electrically conductive rubber. (During an interview with the Examiner on August 15, 2008, the Examiner and Applicant's attorney discussed support for the claim terminology "conductive rubber disc." As was noted during the interview, " based on cursory review of applicant's discussion it would appear to be support for said claim terminology." Applicant's originally filed application contains support for the term "conductive rubber", the term is used in original Claims 9 and 10)
38. The pyrotechnic device of Claim 35, wherein each of said contact assemblies (300) further includes electrical insulation (306a and 312a) positioned between said annular contact disc (304a) and said central contact pad (302a). (See, for example, Fig. 10, and the description of Fig. 10 on page 9, third paragraph, and Fig. 9, as well as the description of Fig. 9 on page 13, last paragraph of the as-filed application)
39. The pyrotechnic device of Claim 34, wherein each of the different types of blank ammunition rounds (80/81) includes an explosive powder, an electric match having a positive electrode and a negative electrode, and a bridgewire connecting the positive and negative electrodes. (See, for example, the paragraph spanning pages 17-18 of the as-filed application)
40. The pyrotechnic device of Claim 39, wherein said circuitry generates a first electric current for a first period of time sufficient to ignite the explosive powder contained in a blank ammunition round (80/81) to be fired from one of said receptacles (23) of said magazine (20), and said circuitry generates a second electric current for a second period of time sufficient to burn out the bridgewire of the ignited blank ammunition round (81/82). (See, for example, the paragraph spanning pages 18-19 of the as-filed application)

41. The pyrotechnic device of Claim 40, wherein each of said contact assemblies (300) includes a central contact pad (302a) which forms part of an electrical path between said circuitry and a center contact pin (404 or 407) of a blank ammunition round (81 or 80, respectively) which has been loaded into a corresponding one of said receptacles (23), and an annular contact disc (304a), which encircles said central contact pad (302a) and which forms part of an electrical path between said circuitry and an outer contact post (406 or 409) of a blank ammunition round (81 or 80, respectively) which has been loaded into said corresponding one of said receptacles (23). (See, for example, Fig. 9, as well as the description of Fig. 9 on page 13, last paragraph of the as-filed application)

42. The pyrotechnic device of Claim 41, wherein said annular contact disc (304a) is made from electrically conductive rubber, whereby said annular conductive disc (304a) allows for variations in the length of outer contact posts (40 or 409) on different blank ammunition rounds (81 or 80, respectively). (During an interview with the Examiner on August 15, 2008, the Examiner and Applicant's attorney discussed support for the claim terminology "conductive rubber disc." As was noted during the interview, " based on cursory review of applicant's discussion it would appear to be support for said claim terminology." Applicant's originally filed application contains support for the term "conductive rubber", the term is used in original Claims 9 and 10)

43. The pyrotechnic device of Claim 42, wherein said central contact pad (302a) is made from electrically conductive rubber. (During an interview with the Examiner on August 15, 2008, the Examiner and Applicant's attorney discussed support for the claim terminology "conductive rubber disc." As was noted during the interview, " based on cursory review of applicant's discussion it would appear to be support for said claim terminology." Applicant's originally filed application contains support for the term "conductive rubber", the term is used in original Claims 9 and 10)

44. The pyrotechnic device of Claim 43, wherein each of said contact assemblies (300) further includes electrical insulation (306a and 312a) positioned between said annular contact disc (304a) and said central contact pad (302a). (See, for example, Fig. 10, and the description of Fig. 10 on page 9, third paragraph, and Fig. 9, as well as the description of Fig. 9 on page 13, last paragraph of the as-filed application)

45. The pyrotechnic device of Claim 31, wherein said first diameter is about 1.121 inches, said

second diameter is about 1.337 inches and said third diameter is about 1.263 inches. (See, for example, Figs. 11 and 12, and the description on page 5, second paragraph of the as-filed application)

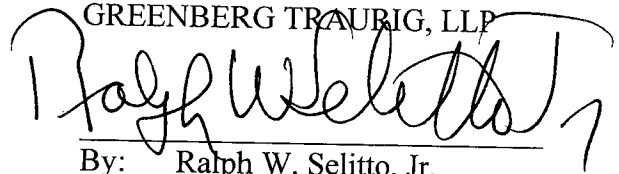
CONCLUSIONS

In view of the foregoing response and the accompanying remarks, Applicant's attorney respectfully requests reconsideration and allowance of pending Claims 31-45. If such action cannot be taken, or if the Examiner believes that a telephone conversation would expedite prosecution of this application, the Examiner is cordially invited to call the undersigned attorney at the number indicated below.

No fees are believed to be due in connection with the filing of this Response. If there are any fees due as a result of this Response, including, without limitation, extension and petition fees, the Examiner is authorized to charge them to Deposit Account No. 501561.

Respectfully submitted,

GREENBERG TRAURIG, LLP

A handwritten signature in black ink, appearing to read "Ralph W. Selitto, Jr.", written over a horizontal line.

By: Ralph W. Selitto, Jr.
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